

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)		
Applicant's or agent's file reference see form PCT/ISA/220		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/GB2004/002587	International filing date (day/month/year) 17.06.2004	Priority date (day/month/year) 19.06.2003
International Patent Classification (IPC) or both national classification and IPC G07D9/00		
Applicant MONEY CONTROLS LIMITED		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
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IAP20 Rec'd PCT/PTO 16 DEC 2005

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II Priority

1. The following document has not been furnished:

- copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
Industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	1-15
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-15
Industrial applicability (IA)	Yes: Claims	1-15
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the International application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the International application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

IAP20 REC'D PTO 16 DEC 2005**Re Item V****Reasoned statement with regard to novelty, inventive step or Industrial
applicability; citations and explanations supporting such statement**

1. Reference is made to the following documents:

D1: EP-A-0 266 021 (COIN CONTROLS) 4 May 1988 (1988-05-04)
D2: US 2002/061724 A1 (NOMURA TOMOKAZU) 23 May 2002 (2002-05-23)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-15 does not involve an inventive step in the sense of Article 33(3) PCT.

2.1 INDEPENDENT CLAIM 1

Document D1 discloses a disc for coin hopper comprising (column 3, line 54-column 4, line 27; column 5, lines 5-25; column 7, lines 5-20 ; figures 1-4):

a coin source (1), a rotary member (2) with a plurality of coin receptacles (8) to receive coins from the coin source (1), a motor (4) to rotate the rotary member so as to move coins in the receptacles along an annular coin path, a coin outlet (14) disposed to one side of the coin path, and a movable ejector device (10) to eject coins from the receptacles through the coin outlet (14), the ejector device(10) being positioned so that it is moved from a coin engaging position to a discharge position by a coin as it moves along the annular path to be ejected through the coin outlet (14), drive means operable to drive the ejector device from the discharge position to eject the coin through the outlet and thence to the coin engaging position for a next approaching coin to be ejected, and counting means (44) responsive to movement of the ejector device to count coins ejected through the outlet (14).

The counting means in document D1 uses a pair of sensors, the first of them detecting the movement of the ejector member (10).

Therefore, the subject-matter of claim 1 is not inventive in the sense of Article 33(3) PCT.

2.2 INDEPENDENT CLAIM 12

Claim 12 relates to a coin dispensing apparatus having all of the features of the apparatus claimed in claim 1 but the counting means, and new features referring to the ejector device.

The common features between claim 1 and 12 are covered by document D1 as explained above in point 2.1, but they are also disclosed in document D2 (paragraphs [0002]-[0004], [0035], [0036]; figures 2, 7, 8).

With respect to the new features, the ejector device claimed is composed of a first and second coin engaging members movable independently between a coin engaging position and coin discharge position.

Document D2 in paragraph [0036] also discloses that the two pins working as ejector device can be supported on one or two spring plates. In case of these two pins being supported in two different spring plates, it should be logical to assume that their movements would be independent.

Therefore, the subject-matter of claim 12 is not inventive in the sense of Article 33(3) PCT.

2.3 INDEPENDENT CLAIM 15

Claim 15 differs of claim 12 in the features referring to the ejector device.

In claim 15 the ejector device comprises at least one slider member movable between a coin engaging and coin discharge positions.

As explained above in point 2.2, the ejector devices in document D2 is a pair of pins supported on a spring plate. This mechanism slides between a coin engaging and coin discharge positions, the subject-matter of claim 15 thus not being inventive in the sense of Article 33(3) PCT.

2.4 DEPENDENT CLAIMS 2-11, 13, 14

The additional features of claims 2-11, 13, 14 refer to:

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- Counting means comprising an optical emitter and detector (D1, column 7, lines 5-20).
- Drive means comprising a spring to move the ejector device from a discharge position to a coin engaging position (D1, column 5, lines 5-25).
- The apparatus including a body where the motor and the ejector device are mounted (D2, figure 7).
- The flat surface has an annular periphery bounded by a peripheral wall (D2, paragraph [0003]).
- Coin source comprises a hopper (D2, paragraph [0003]).
- Ejector device comprising first and second coin engaging members, these members moving in unison or independently (D2, paragraphs [0035], [0036]).
- Counting means being operable to detect the turning of an arm in the ejector device in response to each coin ejected through the coin outlet (D1, column 7, lines 5-20).
- Ejector device comprising at least one slider member (D1, column 5, lines 5-25).
- First and second engaging members in the ejector device comprising an arm configured to turn between a coin engaging position and a coin discharge position (D2, paragraphs [0035], [0036]).
- First and second engaging members in the ejector device comprising a slider configured to slide between a coin engaging position and a coin discharge position (D2, paragraphs [0035], [0036]; D1, column 5, lines 5-25).

Therefore, the subject-matter of claims 2-11, 13, 14 is not inventive in the sense of Article 33(3) PCT.

Re Item VII

Certain defects in the international application

To meet the requirements of Rule 5.1 PCT, documents D1 and D2 should be identified in the description and briefly describe the relevant background therein.

Re Item VIII

Certain observations on the international application

In order to avoid clarity problems, claim 11 should be made dependent on claims 1 to 6, not 1 to 9 as it is in the application. Claim 11 being dependent on claims 7-9 may lead to a lack of clarity, because in claims 7-9 it is claimed an ejector device

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comprising two engaging members, while in claim 11 the ejector device claimed may be composed of one single slider.

Most of the features of claims 1, 12 and 15 are the same, so drafting one single independent claim would avoid possible problems of lack of unity among these three claims.